

Appl. No.: 10/505,302
Reply to Office Action of: 09/11/2006

REMARKS

The examiner is requested to withdraw the finality of the last office action. Making the last office action "final" was premature. The examiner is directed to MPEP 706.07 (a), (c), and (d). In the present case, the last office action introduced new grounds of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c). The examiner is requested to withdraw the finality of the last office action.

In regard to section 4 of the office action, the English language translation of the PCT International Application is accurate. The language would be understood by a person skilled in the art, so there appears to be no need to amend the specification.

In regard to section 5 of the office action, the drawings are from the PCT International Application and, therefore, should be acceptable. If the USPTO believes something is wrong with the drawings, the examiner is requested to specify the problem.

In regard to section 6 of the office action, Claims 1 and 5 have been amended to address items a and b, but the claims have not been amended to address item c. Claims 1-10 would be understood by a person skilled in the art after reading the specification and in view of the drawings. Therefore, there is no need to amend the claims.

Appl. No.: 10/505,302
Reply to Office Action of: 09/11/2006

Claims 1, 2, 4, 6, 8 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Lynch et al. (US 4,844,580). Claims 1-7, 9 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by Serizawa et al. (US 6,491,443). The examiner is requested to reconsider these rejections.

The examiner stated the Amitay et al. (US 4,737,004) anticipates one or more of the claims, but is not being applied as prior art at this time. The examiner is reminded that in accordance with MPEP §§704.01 and 707.07(g), piecemeal examination of applications is inappropriate.

Lynch seeks to enhance optical connection between two optical fibers. To this end, it is implemented an elongated glass tube having a bore adapted to receive an optical fiber therein. The elongated glass tube further comprises a bulbous lens closing one end of said tube. In the last office action, the Examiner indicated that he considers that the connector 26 (Fig. 4) is equivalent to an optical interconnection module in which the optical waveguide is formed by the elongated glass tube with the optical fiber inserted therein.

The subject matter of amended claim 1 differs from Lynch in that the package comprises an overmolded housing, wherein the optical waveguide is overmolded in the housing. Contrary to the Examiner's assertion, the overmolding waveguide limitation is clearly a decisive difference. Indeed, an optical waveguide (formed by an elongated glass tube with an optical fiber inserted therein) fixed (by an epoxy resin) into an alignment sleeve can be unambiguously differentiated from an optical waveguide overmolded in a module housing.

Appl. No.: 10/505,302

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Insofar as Lynch does not disclose all the features of the subject matter of claim 1, claim 1 is patentable and should be allowed.

Serizawa et al. discloses an optical fiber pigtail comprising a core and a cladding. The core, made of a transparent material, includes a first section provided with an end lens and a second forming a waveguide and extending from the first section. The waveguide is conically shaped with side walls tapered from the one end to the other end (col. 5, I. 12-15).

The subject matter of claim 1 differs from Serizawa in that the optical section (waveguide section) comprises a portion having a diameter which is smaller than a diameter (along a length of the housing) of the flared cone. As a result, claim 1 is also novel over Serizawa.

Though dependent claims 2-10 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

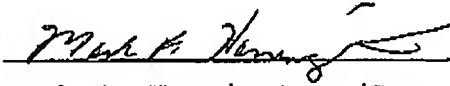
Claim 11 has been added above to further claim the features recited therein. The subject matter of claim 11 differs from Serizawa in that the optical section (waveguide section) comprises a diameter or a section smaller than that one of the flared cone along the length of the housing. As a result, claim 11 is also novel over Serizawa.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are

Appl. No.: 10/505,302
Reply to Office Action of: 09/11/2006

clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,


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12/11/06
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